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3 **UNITED STATES DISTRICT COURT**  
4 **DISTRICT OF NEVADA**

5 \* \* \*

6 RICHARD M. GOLDBERG, )

7 Plaintiff, )

8 v. )

9 GOLDEN GAMING, )

10 Defendant. )  
11 \_\_\_\_\_)

2:08-cv-01042-JCM-LRL

12 **REPORT & RECOMMENDATION**

13 Plaintiff submitted an Application to Proceed *In Forma Pauperis* and a Complaint pursuant to  
14 42 U.S.C. § 1983 (#2) on August 26, 2008. This court found that the application was incomplete and  
15 ordered plaintiff to either pay the \$350.00 filing fee by November 7, 2008 or submit a completed  
16 application in support of his request to proceed *in forma pauperis*. Order (#2). To date, plaintiff has  
17 done neither.

18 **RECOMMENDATION**

19 Based on the foregoing, it is the recommendation of the undersigned United States Magistrate  
20 Judge that this case be dismissed with prejudice.

21 DATED this 15<sup>th</sup> day of December, 2009.

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23 \_\_\_\_\_  
24 **LAWRENCE R. LEAVITT**  
25 **UNITED STATES MAGISTRATE JUDGE**  
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